

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

JOHNNY W. WATKINS,	)	
	)	
Plaintiff,	)	
	)	Case No. 3:19-cv-232-DPJ-FKB
v.	)	
	)	
VIVINT, INC. and EQUIFAX	)	
INFORMATION SERVICES LLC,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL**

Defendant, Equifax Information Services LLC (“Equifax”), by Counsel, hereby files this Notice of Removal of this action from the Circuit Court of Rankin County, Mississippi, wherein it is now pending as Case No. 61CI1:19-cv-00027-ssr, to the United States District Court for the Southern District of Mississippi. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1441 and 1446. In support hereof, Defendant shows this Court as follows:

1. An action was filed on February 4, 2019 in the Circuit Court of Rankin County, Mississippi, entitled *Watkins v. Vivint, Inc., et al.*, Case No. 61CI1:19-cv-00027-ssr (the “State Court Action”).
2. Equifax was served with the Complaint on March 4, 2019.
3. This Notice is being filed with this Court within thirty (30) days after Equifax was served with a copy of Plaintiff’s initial pleading setting forth the grounds for his action and his claims for relief.
4. This Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1331, in that this is a civil action arising under the Constitution, laws or treaties of the United States;

specifically 15 U.S.C. § 1681 *et seq.*, otherwise known as the Fair Credit Reporting Act (“FCRA”), as follows:

(a) Plaintiff’s Complaint, on its face, alleges a violation of the FCRA. (*See* Plaintiff’s Complaint, ¶¶ 4, 11-13, 19-20, 23, 25-29, and 32).

(b) The FCRA, pursuant to 15 U.S.C. § 1681(p), provides that any action alleging a violation of its provisions “may be brought in any appropriate United States district court without regard to the amount in controversy . . .”

5. Promptly after filing this Notice of Removal, Equifax will give written notice of the removal to Plaintiff and to the Clerk of the Circuit Court of Rankin County, Mississippi, as required by 28 U.S.C. § 1446(d).

6. Attached hereto, as Exhibit A, are copies of the Notice and Complaint served upon Equifax in the State Court Action.

7. All defendants consent to the removal of this action. Attached hereto, as Exhibit B, is the Consent to Removal of Defendant Vivint, Inc.

WHEREFORE, Equifax requests that the above-described action be removed to this Court.

Respectfully submitted this 3rd day of April 2019.

/s/ Jackie R. Bost, II

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**CERTIFICATE OF SERVICE**

This is to certify that I have this day electronically filed a true and correct copy of the foregoing with the Clerk of the Court using the ECF system, which will send notification of such filing to the following:

Christopher E. Kittell  
THE KITTELL LAW FIRM  
P. O. Box 568  
2464 Church Street, Suite A  
Hernando, MS 38632

Dated: April 3, 2019.

/s/ Jackie R. Bost, II

Jackie R. Bost, II